

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA	:	CRIMINAL NO. 1:16-CR-155
	:	
v.	:	(Chief Judge Conner)
	:	
QUINTON NOEL GORDON,	:	
	:	
Defendant	:	

ORDER

AND NOW, this 5th day of September, 2018, upon consideration of the request (Doc. 86) filed *pro se* by defendant Quinton Noel Gordon (“Gordon”), in which Gordon requests that the court provide him with copies of his “sentencing transcripts (minutes)” free of charge, ostensibly to assist in the preparation of an anticipated petition for habeas corpus, (see id.), and the court observing that, pursuant to 28 U.S.C. § 753(f), a court may require the government to bear the cost of furnishing transcripts to persons proceeding *in forma pauperis* in habeas corpus proceedings, but further observing that this statutory provision applies only *after* a habeas proceeding has been instituted, see United States v. Smith, No. 04-309, 2010 WL 11534344, at *1-2 (W.D. Pa. Aug. 2, 2010) (collecting cases); see also United States v. Cook, 362 F. App’x 238, 238-39 (3d Cir. 2010) (nonprecedential); United States v. Raghunathan, 288 F. App’x 2, 3-4 (3d Cir. 2008) (nonprecedential), and that, for petitions brought under 28 U.S.C. § 2255, transcripts may be furnished only after the judge certifies that the petition “is not frivolous and that the transcript is needed to decide the issue presented by the suit or appeal,” 28 U.S.C. § 753(f), and it appearing that Gordon has not yet commenced a habeas proceeding in this court, it

is hereby ORDERED that Gordon's request (Doc. 86) is DENIED without prejudice to the refiling thereof after Gordon files a Section 2255 petition or otherwise commences a habeas corpus proceeding.

/S/ CHRISTOPHER C. CONNER
Christopher C. Conner, Chief Judge
United States District Court
Middle District of Pennsylvania